

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

) CASE NO. C07-0736 RSM  
YI HUANG, )  
                )  
Plaintiff, )  
                )  
v. ) ORDER DISMISSING PLAINTIFF'S  
                ) COMPLAINT WITH PREJUDICE  
                )  
WASHINGTON MUTUAL BANK, *et al.*, )  
                )  
                )  
Defendants. )

This matter is before the Court because the parties have failed to comply with the Court's order to provide a Joint Status Report by July 24, 2009.

Plaintiff Yi Huang is a Chinese national in the United States on a H-1B visa. In 2005, Mr. Huang began working for Defendants Washington Mutual Bank and Washington Mutual, Inc. (“Washington Mutual”). Mr. Huang alleges that after seven months of employment, he was forced to quit his position because he was singled out on the basis of his race, national origin and for reporting wrongful conduct. He sued for employment discrimination, whistleblower retaliation, wrongful discharge in violation of public policy, defamation, negligence, and assault and battery.

On August 25, 2008, this Court granted Washington Mutual's Motion to Compel Arbitration holding that the parties had agreed to settle their disputes through binding arbitration and that the agreement was not unconscionable. (Dkt. #25). This Court stayed all

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1 proceedings pending arbitration. On February 25, 2008, the parties filed a Joint Status  
2 Report. (Dkt. #26). In the status report, Plaintiff's counsel sought an additional month to  
3 consult with his client as to whether to dismiss claims against Washington Mutual, Inc. in  
4 light of the fact that it filed for Chapter 11 bankruptcy on September 26, 2008.

5 On July 7, 2009, over four months after the parties filed their report, this Court issued a  
6 Minute Order directing the parties to "submit an updated Joint Status Report advising the  
7 Court on the status of the case no later than July 24, 2009." (Dkt. #27). The Court made clear  
8 that "[f]ailure to comply with this order will result in dismissal of the case."

9 The Court has still not received a Joint Status Report from the parties. Accordingly,  
10 this case is dismissed with prejudice.

11 Having reviewed the relevant pleadings, the declarations and exhibits attached thereto,  
12 and the remainder of the record, the Court hereby finds and ORDERS:

- 13 (1) All claims are dismissed with prejudice.  
14 (2) The Clerk is directed to forward a copy of this Order to all counsel of record.

16 DATED this 9th day of September, 2009.

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20 RICARDO S. MARTINEZ  
21 UNITED STATES DISTRICT JUDGE